



Michael R. Raybuck
Vice President - Manufacturing

December 1, 2010

VIA UPS Overnight Courier

Martin Matlin
RCRA Enforcement and Compliance Officer (3LC70)
U.S. Environmental Protection Agency – Region III
1650 Arch Street
Philadelphia, PA 19103-2029

John Ruggero
Senior Assistant Regional Counsel (3RC30)
U.S. Environmental Protection Agency – Region III
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Docket No. RCRA-03-2011-0001

Dear Messrs. Matlin and Ruggero:

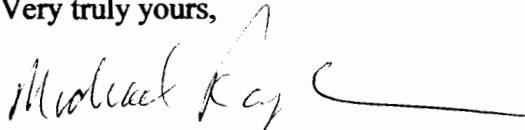
In compliance with the provisions of paragraph 168 of the Consent Agreement and Final Order ("CAFO") entered in the above matter, this will confirm that as of this date Yuasa Battery, Inc. ("Yuasa") has completed Compliance Tasks A through C as set forth in the CAFO. Specifically please be advised as follows:

- A. Yuasa is storing hazardous waste at the facility at 2901 Montrose Avenue, Laureldale, PA ("Facility") in accordance with interim status requirements set forth in 40 C.F.R. Part 270 and incorporated in Pennsylvania Hazardous waste regulations.
- B. Yuasa is continuing to accumulate hazardous waste in containers and has undertaken the following steps:
 1. Training – Refresher RCRA training for employees was conducted on September 17 and October 15, 2010. Additional RCRA training for managers took place on November 16, 2010. Records of such training are on file at the Facility with Yuasa's EHS Manager, Paul Swarm.
 2. Yuasa's Contingency Plan has been updated to include addresses for two (2) emergency coordinators in accordance with 40 CFR §265.52(d) and to contain a list of emergency equipment with locations, descriptions, and capabilities of such equipment in accordance with 40 C.F.R. §265.52(e).

3. Yuasa is inspecting its containers in accordance with 25 Pa. Code Ch. 265a.
 4. Yuasa is labeling and dating containers in accordance with 40 CFR §262.34(a) and (c) as applicable.
- C. Yuasa is maintaining copies of signed manifests in accordance with 25 Pa. Code Ch. 62a, incorporating by reference 40 C.F.R. §§ 262.40 and .42.

I certify that the information contained in or accompanying this letter is true, accurate and complete. As to the portions of this letter for which I cannot personally verify its accuracy, I certify under penalty of law that this letter and all attachments were prepared in accordance with a system designed to assure the qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Very truly yours,



Michael Raybuck
Vice President – Manufacturing

cc: Susan P. LeGros
Paul Swarm



RCRA COMPLIANCE AND ENFORCEMENT BRANCH
ENFORCEMENT CASE RECOMMENDATION
WORKSHEET¹

SUBTITLE C

EPA ID NUMBER: PAD095361655

FACILITY NAME: Yuasa Battery, Inc.

CASE REVIEW OFFICER: Martin Matlin

REVIEW START DATE: 11/23/10

FINDINGS OF INITIAL CASE REVIEW: Facility was inspected on 9/15 & 22/09. Show Cause letter sent 7/29/10. SCAFO filed 11/4/10.

DISPOSITION RECOMMENDATION: JUD REF APO AO NOV 3013 7003 CLOSE OTHER:

JUSTIFICATION FOR RECOMMENDATION:

Facility paid penalty (rcvd 11/9/10) and returned to compliance.

CONCURRENCE SECTION

CASE REVIEW OFFICER: Martin Matlin/

DATE: 11/23/10

BRANCH CHIEF: Carol Amend/

DATE: 11/24/10

¹This is a pre-decisional document protected by the deliberative process and attorney work product privileges (and may also be privileged attorney-client communication). Conclusions or recommendations are intended solely as primary information for government personnel. This worksheet contains tentative conclusions and staff-level recommendations and does not create any rights, or procedural, or defenses, as they are not binding on the Agency or the Department of Justice.